

## REMARKS/ARGUMENTS

Claims 1-12, 14-26, and 28-38 are currently pending in the application. Claims 1-12 and 14-26, and 28-38 are rejected. Claim 3 is canceled. Claims 1, 2, 4, 6, 8, 9, 11, 19, 22-26, 28, 30, 33, 34, 35, 36, and 38 have been amended. No new matter has been added.

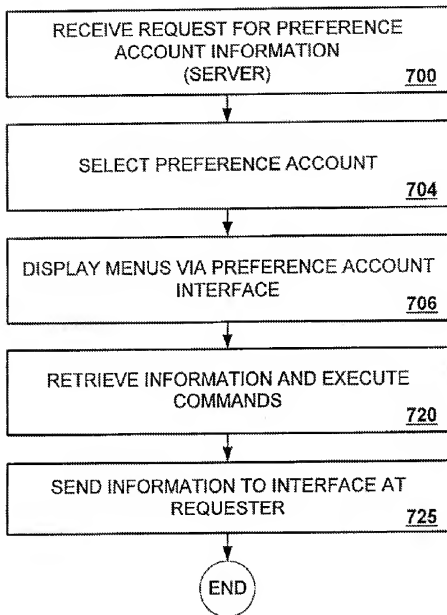
### Section 103 Rejection

Claims 1-12, 14-26, and 28-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulsen (U.S. Patent Application Publication No. 20020142846) in view of Lark et al. (U.S. Patent Application Publication No. 2002/0142825), referred to herein as Lark. This rejection is respectfully traversed.

Neither Paulsen nor Lark, considered alone or in combination, describe or suggest a gaming system as recited in claim 1. For example, neither Paulsen nor Lark, considered alone or in combination, describe or suggest the network server controller being programmed to “generate a first result by selecting a first game from said plurality of available games, wherein said selection of said first game is performed by comparing said preferences of said first player to said game characteristics of said plurality of available games, generate a second result by selecting a second game, wherein said selection of said second game is performed by comparing said first player preferences with a set of preferences of a second player, *wherein said second result is the same as the first result*”.

The Examiner agrees that “Paulson does not disclose selecting an available game by comparing said first player preferences to preference of a second player” (Office Action, page 3). Further, Lark describes reconfiguring a gaming machine based on player preferences provided by a player and that 700, 704, 706, 720, and 725 may be repeated by a first or a second player during a single session (paragraph 118 and paragraphs 120-124). This description in Lark of configuring the gaming machine based on player preferences and executing 700, 704, 706, 720, and 725 by a player during a single session *does not describe or suggest the same result* generated by comparing the first player preferences with the second player preferences *and* by comparing the first player preferences to the game characteristics of a plurality of available games. For example, neither Paulsen nor Lark, considered alone or in combination, describe or suggest *said second result is the same as the first result*” (Emphasis added).

Rather, Lark describes in paragraphs 120-124 with reference to Figure 7:



**FIGURE 7**

FIG. 7 is a flow chart depicting an implementation of a preference account methodology on a preference account server for one embodiment of the present invention. In 700, a preference account server, which may be a device separate from a gaming machine or a gaming machine with server capabilities, may receive a request for preference account information. The request for preference account information may be made from a number of different devices external to the preference account server such as a gaming machine, a home computer, a casino kiosk, a personal digital assistant, a phone and a video display interface. In some embodiments, the video display interface may be located in a hotel room or a restaurant.

In 704, the preference account server may select a particular preference account using player identification information supplied to the preference account server by the requesting external device. The identification information may include but is not limited to biometric information, alpha-numeric input codes, a player's name, a player's account number and combinations thereof. The player identification information may be used to authenticate the request for preference account information.

In 706, one or more menus may be displayed to a preference account interface used by the external device by the preference account server. The menus may allow a user of the preference account interface to view and modify preference account information stored on the preference account server. In some embodiments, the preference account interface may be accessed via a web browser.

In 720, the preference account server may retrieve preference account information and execute commands operating on preference account information that are available through the one or more preference account interfaces (e.g. see FIGS. 1A and 1B). For instance, the commands may allow a user of the preference account interface to add, delete and store preference account information on the preference account server. As another example, a user of the interface may be able to simulate one or more game presentations, including audio and video effects, from one or more games such as video poker games, video slot games, video black jack games, video pachinko games, video card games and video games of chance. The game presentations may be modified according to one or more preference options selected by the player. The game presentations simulated via the interface may allow a player to assess how various selected preference options will affect their game playing experience.

In 725, the preference account server may send the requested preference account information to the external device requesting the preference account information. For instance, the requested information may be a summary of a player's loyalty

point account over a certain time period. While the player is using the preference account interface hosted by the preference account server, a player may make multiple requests for preference account information via the preference account interface. Thus, 700, 704, 706, 720 and 725 may be repeated a plurality of times by the same player during a single session of using the interface, over multiple different sessions by the same player and over multiple sessions by different players. A single session may be defined as the time period between when a user is granted access to a preference account, such as by entering player identification information, and when a player's access to the preference account is terminated. Thus, a second subsequent session to a first session begins after a player's access has been terminated in the first session and a new access to a player, which may be the same or a different player than in the first session, has been granted in the second session.

Lark describes in paragraphs 120-124 that during a single session, the same player may repeat 700, 704, 706, 720, and 725. In 700, a preference account server may receive a request for preference account information. In 704, the preference account server may select a particular preference account using player identification information supplied to the preference account server. In 706, one or more menus may be displayed to a preference account interface used by an external device. The menus may allow a user of the preference account interface to view and modify preference account information stored on the preference account server. In 720, the preference account server may retrieve preference account information and execute commands operating on preference account information that are available through the one or more preference account interfaces. In 725, the preference account server may send the requested preference account information to the external device requesting the preference account information. The description that a gaming machine is configured using player preferences and that a player, such as a first or a second player, repeats 700-725 during a single session does not describe or suggest *generating the same result* by comparing the first player preferences with the second player preferences and by comparing the first player preferences to the game characteristics of a plurality of available games. For at least the reasons set forth above, Applicants respectfully request that claim 1 is patentable over Paulsen in view of Lark.

Independent claims 9, 22, and 33 recite similar features as claim 1 and, therefore, are patentable over Paulsen and Lark for at least similar reasons as above. For example, for the same reasons set forth above, Paulsen and Lark do not describe or suggest the first result is the same as the second result as recited in each of claims 9, 22, and 33.

The various dependent claims are respectfully submitted to be patentable over the art of record for at least the same reasons as set forth above with respect to their associated independent claims. Furthermore, these dependent claims recite additional features that when considered in the context of the claimed invention, further patentably distinguish the art of record. Accordingly, for at least the reasons set forth above, claims 1-12, 14-26, and 28-38 are patentable over Paulsen in view of Lark.

### **Conclusion**

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. Early favorable consideration of this Amendment is earnestly solicited and Applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 663-1100.

Respectfully submitted,  
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